

THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of)
Robert L. Crook, et al.) Group: 1731
Serial No.: 10/550,476)
Filed: September 23, 2005)
Title: COMPOSITE PRESS FELT) Examiner: Paulette R. Kidwell

DECLARATION OF HANS-GEORG KECK PURSUANT TO 37 C.F.R. § 5.25

I, Hans-Georg Keck, do declare that:

1. I am in-house patent counsel for Voith Fabrics Patent GmbH ("Voith"), having an address at Sankt Pöltener Strasse 43, D-89522 Heidenheim, Federal Republic of Germany. I am a citizen of the Federal Republic of Germany.

2. Patent application no. GB0306769.1 was filed in Great Britain on March 25, 2003 without a license for foreign filing.

3. PCT patent application no. PCT/EP2004/050359 was filed on March 24, 2004 without a license for foreign filing.

4. On September 23, 2005, the PCT/EP2004/050359 patent application entered the national stage pursuant to 35 U.S.C. § 371 in the United States Patent and Trademark Office and is further identified in the caption above.

5. On October 25, 2005, the PCT/EP2004/050359 patent application entered the European phase (publication no. EP1620598).

6. The subject matter of the patent application identified in the caption above ("the present application") has not been filed in a foreign country or internationally except as related above.

7. A filing receipt for the present application was mailed on September 27, 2006, indicating that the foreign filing license has been granted.

8. The subject matter of the present application was not under a secrecy order at the time it was filed abroad (as related above) and is not currently under a secrecy order.

9. The subject matter of the present application was filed abroad (as related above) through error and without deceptive intent without the required license under 37 C.F.R. § 5.11 first having been obtained. I did not learn that the invention of the present application was made in the United States until on or about February 1, 2007.

10. On February 9, 2007, I notified U.S. patent counsel handling the present application of the error in foreign filing and was advised that we should file a petition for a retroactive foreign filing license to correct the inadvertent error.

11. As standard protocol, it was then necessary for me to discuss with upper management at Voith how to proceed in the patent application proceedings pending before the United States Patent and Trademark Office. The meeting to discuss this issue had to be arranged around the schedules of the individuals involved in this decision-making process. Scheduling this meeting, thus, took some time.

12. Upon discussing this issue jointly within Voith, it was decided to proceed with petitioning the United States Patent and Trademark Office for a retroactive foreign filing license pursuant to 37 C.F.R. § 5.25. Shortly thereafter, during the week beginning on June 24, 2007, I directed, by telephone, U.S. patent counsel handling this application to file such a petition.

13. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the above-referenced application or any patent issuing thereon.

Date: July 26, 2007

H-G-Georg Keck
By: Hans-Georg Keck